

HYDE TESTIFIES IN HIS OWN BEHALF

Wife and Son on Stand to
Prove Alibi for Ex-City
Chamberlain.

MAY CALL MOTHER

"Mysteries" Whitman Dwelt
On in Opening Prove
No Secrets.

STEERMakes JURY LAUGH

Justice Goff to Push Case to
Finish To-morrow if
Possible.

Charles H. Hyde, his wife and his fourteen-year-old son all swore yesterday afternoon that the ex-city chamberlain, now on trial on a bribery charge, could not have compelled Joseph G. Robin to promise that the Northern Bank would lend the Carnegie Trust Company \$130,000 between 6:20 and 8 o'clock of the evening of August 22, 1910, because a motor ride from his office, 60 Wall street, had arrived at his home at Roslyn, L. I., in time for 7 o'clock dinner. There will be other witnesses to this alibi, it is said, if they are required, one of whom may be Hyde's mother.

It was admitted that the defendant had met Robin in company with William J. Cummings and Joseph H. Reichmann at the office, but it was contended that there was a desultory conversation of only a few minutes, during which nothing was said concerning the demands of the Carnegie Trust on the Northern Bank. Witnesses to this conversation will be called by the defense. Reichmann, it is said, is Cummings and Reichmann themselves, who have been convicted of illegal acts in their management of the defunct banking institution.

Goff Wants to Finish To-morrow.
Although it was a day of swift moving incident in the Criminal Branch of the Supreme Court, where Justice Goff is determined that the trial shall end in time to let the jury eat Thanksgiving dinner at home.

The prosecution played its last trump card in the morning, when it called John V. Smith, Hyde's private secretary, to tell about the \$14,000 loans obtained from the Carnegie Trust. Smith introduced evidence about the \$14,000 loans to Charles P. Norcross, at one time a newspaper man and later a promoter, for by this evidence it was sought to show where the material benefit to Hyde came in. But in that stage it was apparent that both sides claimed a victory.

In the matter of the Smith note, however, in which District Attorney Whitman had declared to the jury there was a secret indorsement or guarantee by the then City Chamberlain, the trust company's books showed yesterday that there was a plain record of the fact that the note was indorsed by Hyde.

Hyde Satisfies Both Sides as Witness.
Hyde himself, on the stand for an hour and a half, was a witness who seemed to please both prosecution and defense. For the defense, it was asserted, after establishing an alibi in the celebrated Robin meeting, he had explained how he came to take up with Cummings and how he came to give money to the eight banks, giving the names of the bankers who had prevailed upon him to do so, and then had given categorical details of any knowledge of what Cummings may have said to the bankers.

The prosecution was satisfied, it said, because it had managed to make the relations between Hyde and Cummings very close indeed; it had them writing letters, particularly Cummings, who wrote in terms of extravagant friendship; and it had from the witness an admission that, despite adverse reports about the company, he had never made any special examination into the condition of the Carnegie Trust, which was reported to be precarious.

Hyde's defense to all this implication that he did not exercise vigilance is a letter written to him by the late Jordan J. Rollins, counsel to the State Superintendent of Banking, and a statement made by Clark Williams, then State comptroller, but just before that Banking Superintendent, that William J. Cummings, a financial wizard from the South, had rehabilitated the old trust company to such an extent that it had even enlisted Andrew Carnegie's moral support.

Secretary Smith Tells of Loans.

Nathan C. Hayes, secretary of the Guardian Trust Company, the first witness, was on the stand long enough to swear that no American Tobacco Company money ever came to the institution for its favor to the Cummings group, and then Wilford E. Fulcher of the office of A. B. Leach & Co., gave some technical testimony about handling the city bonds on August 24, where, by the Northern Bank gave the \$130,000 to the Carnegie Trust Company. Then came young Mr. Smith.

He was, and is, the secretary to the

DOUGLAS'S PAY GARNISHEED.

Member of P. S. Board and Relative of Dix, Must Pay \$28,84 a Week.

ALBANY, Nov. 25.—Supreme Court Justice Radd today issued an order under the garnishment law against the \$15,000 salary of State Public Service Commissioner Curtis N. Douglas of Albany. Mr. Douglas said to-day for the first time as a member of the commission. He is a brother-in-law of Gov. Dix. He refused to-night to discuss the matter further than to say a judgment secured in 1891 was involved and that he was defrauded in the first instance.

Mr. Douglas's salary of \$15,000 a year is about \$288.46 a week. The new garnishment law allows 10 per cent. of a man's income to be deducted to satisfy a debt, which means that \$28.84 will be taken each week from the Commissioner's pay.

The judgment against Mr. Douglas was secured in New York in May, 1911, by William S. Lawson and Harry S. Day, surviving members of the firm of W. S. Lawson & Co., a New York City brokerage concern now out of business. A transcript of the judgment was filed in the county clerk's office here on July 20, 1911, and an execution was levied on his property by the Albany county Sheriff on July 27 of that year. It was returned unsatisfied and no further action was taken by the creditors until to-day.

NAVY ADOPTS MORSE CODE.

Secretary to Discontinue Meyer Signals When Men Become Proficient.

WASHINGTON, Nov. 25.—Secretary of the Navy Meyer has directed that the International Morse code of signaling be adopted immediately throughout the naval service, replacing the Meyer code. The Meyer code will be discontinued altogether as soon as the signal force of the ships and the shore stations shall become sufficiently proficient in the International Morse.

The Morse code will be applied to the wireless, wigwag, occulting light, sound signals and the Ards and Very methods of signaling.

ELEVATED TICKET AGENT

BEATEN DOWN AND ROBBED

Von Bromen Fought Highwayman in Grand Street Station Till Unconscious.

A highwayman attacked David Von Bromen, the ticket agent on the south-bound platform of the Second avenue elevated station at Grand and Allen streets, at 7:30 last night with a revolver and got away with \$1.05 after he had beaten the agent into unconsciousness. Although this station is above one of the busiest corners of the city no one was present to interfere and the highwayman with his coat and hands smeared with the blood of the agent disappeared up Allen street.

Von Bromen, who is 36 and lives at 116 Prospect place, Brooklyn, has been employed by the road for eighteen years. When he got to work last night he saw a young man in the waiting room of the station. He was at his little window when suddenly he was struck a glancing blow on the head which bit into his scalp, but did not knock him out. He turned and received another blow which laid his cheek open.

Old as the agent is he grappled with the other, who was wielding an iron bolt eight or ten inches long. The next blow landed on the agent's chin. Then the highwayman struck once more at the agent's head, and probably thinking he had spent enough waiting for the loot, he reached his hand into the pile of quarters, dimes and nickels on the counter, thrust a handful of them into his pocket and ran away.

Harry Moscovitz, 240 East Sixty-third street, was beginning an ascent of the stairs when he heard the sounds of scuffling above. A moment later the highwayman ran past him.

BURN WHOLE CITY, M'NAMARA'S AIM

Sought Wreck by Fire and Bomb of "Hated Los Angeles."

WOULD BLAST CANAL

Not Satisfied With That, He Wanted to Raid Motor Speedway.

McMANIGAL TELLS OF IT

He Was to Have Been Tool in Devastating War—But Burns Stepped In.

INDIANAPOLIS, Nov. 25.—How desperate John J. McManigal had become within a week of his arrest by the Burns detectives and to what lengths he proposed to go in carrying out the great dynamiting campaign of 1911 was the story that Orrie E. McManigal told on the witness stand to-day in the dynamiting cases. It came at the conclusion of the evidence of the self-confessed dynamiter and was a fitting finale to revelations that bared the plot and which the Government expects will send the forty-five men on trial to the penitentiary under cumulative sentences that may aggregate thirty-seven years.

For some reason John J. McManigal felt a strong resentment against the city of Los Angeles and he rarely spoke of it without an oath. His brother had made his getaway after dynamiting the Los Angeles Times and killing twenty persons, but somehow J. J. could not get over the feeling that there ought to be a larger programme of destruction for that city.

McManigal was around headquarters in April, 1911, and on the seventh day of that month the plan was unfolded to him by John J. It provided for one of the greatest outrages of modern times, the setting of numerous fires in different parts of the city with machines made for that purpose and the coincident blowing up of the waterworks system so that the fire department would be helpless in extinguishing the flames.

The time of the event was to be fixed so that the fire would be carried to all parts of the city by favorable winds and the place would be wiped out of existence. Another plot of which McManigal spoke, but which did not reach any particular development of means in their conversations, was to organize for a holdup at the Speedway in May following when he said there would be not less than \$150,000 from receipts in the offices of the Speedway company. The plan was to have the holdup men provided with automobiles and to make the attack at a certain hour when the crowd's attention would be riveted on the races.

"We may have to kill two or three, but what the hell is the difference if we get the \$150,000?" said McManigal.

The union secretary, according to the dynamiter, said he had a plan to put the Beaver Bridge "into the creek" just prior to letting the dynamiters go on another hunting trip which was to follow shortly after the proposed Detroit dynamiting. If not sending McManigal on a hunting trip, said the witness, McManigal said he would send him to Panama to blow up the locks. McManigal said he asked if the expert looked at the map of the way to Panama, but J. J. said it was manufactured down there and the dynamiter could steal a whole magazine and "dump it into the locks." McManigal said he pointed out that there were too many guards there. He testified that J. J. suggested that he enlist in the army (as he had previously served in the Spanish-American war) and be detailed to Panama, but the dynamiter pointed out that the enlisted man had nothing to say as to where he was sent.

"Well, go down anyway and put it in by the wagon load," he testified McManigal said.

McManigal told of the trip he and J. B. made from Toledo to Detroit, of their arrest at Detroit, where they were accused of being safe blowers who had done a job at Chicago the preceding Saturday night. He told of a job that occurred on the train, saying J. B. said he knew he was wanted at Los Angeles, but he could prove the explosion there was due to gas.

"I've got the whole Federation of Labor back of me with a million dollars," was a boast McManigal said J. B. made. "Yes, you have a whole lot of gas on your stomach, you are trying to get rid of," McManigal interposed. The dynamiter told the story of how J. B. tried to bribe Guy Riddinger, the Chicago detective, to let them off the train, beginning with \$5,000 and finally raising this to \$30,000.

Asked by Riddinger where he could get the money J. B. said he would get it from his brother, J. J. McManigal. "If you don't take the \$30,000 Clarence Barrow will get it," said J. B., according to the witness, saying also at another time:

CITY MUST FACE WARTIME SUIT.

Justice Refuses to Dismiss Draft Riot Damage Case.

Supreme Court Justice Newburger denied yesterday an application by the city of New York to dismiss a suit brought in 1864 by Charles E. Appleby to recover \$10,500 damages because the Hotel Alton, which he owned at Eleventh avenue and Forty-first street, was destroyed during the draft riots in 1863. The Board of Supervisors passed a resolution in 1864 granting \$7,300 to Appleby on his claim, but he refused to accept less than the amount asked for, and the money was never paid.

McManigal told of the delay in the litigation but did not say Mr. Appleby. He hired a new lawyer a few months ago. He asked Comptroller Pendergast to pay the \$7,300 granted by the Supervisors nearly fifty years ago, and the Comptroller refused. Then his attorney filed notice of trial of the ancient suit.

The city's contention was that the delay was due to the plaintiff, and that the city is now entirely at his mercy because it can find no witnesses to call. Justice Newburger decided that the delay in the trial was as much the city's fault as Appleby's, and upon the plaintiff's agreement not to demand interest from 1864, the court denied the city's application for a dismissal.

WOMAN DARES HELL GATE IN SAVING POLICEMAN

Swims Out and Rescues Schmuck After Two Men Had Gone Down With His Boat.

Mrs. Caroline Phillips, a widow 50 years old of 28 Hoyt avenue, Astoria, swam 200 feet out from the Astoria shore of Hell Gate early yesterday morning and saved from drowning Policeman Otto Schmuck of the East 26th street station as he was floating unconscious on the tide after two companions had been drowned when his thirty-five foot motor boat Pilot was hit and sank by a car float of the New Haven railroad.

The men lost were Joseph Willocks, a bartender of 547 East 149th street, The Bronx, a d. William Livingston, also a bartender, living at Park avenue and Nineteenth street. They were in the cabin when the boat went under the bow of the barge. Their bodies have not been found.

The Pilot was running up through Hell Gate with Schmuck at the wheel. He had thirty hours off duty and had asked a couple of his friends to go fishing with him. They had made an early start from the foot of East 15th street and were heading for Port Washington.

Schmuck would not have been saved had not Mrs. Phillips seen him drifting past, his body buoyed up by his big overcoat. She swam out and towed Schmuck to the shore. Her cries for help were answered by a butcher boy, who took the now half-conscious policeman in his wagon to St. John's Hospital. Schmuck's condition is serious, but he was able to give the police something of a story as to how the accident happened.

He was steering the Pilot, he said, and was just rounding Haller's Point when the car float loomed up ahead. The bow of the float passed over the Pilot, sending it to the bottom with the two men inside.

SAMUEL GOMPERS ILL IN BED.

President of Labor Federation Suffers From Heavy Cold.

GIBSON JURY UNABLE TO AGREE ON VERDICT

Sends for Exhibits and Wrangles for Six Hours After Court's Charge.

JUDGE ORDERS THEM BACK

One Report Is That Nine Men Were for the Conviction of Prisoner.

GOSSEN, Nov. 26.—The jury which tried Burton W. Gibson, accused of murdering Rosa Menschick Szabo in July, announced at 2 o'clock this morning that it could not agree and asked that Justice Tompkins be notified. It was said that the jury stood nine to three for conviction.

One juror was quoted as saying that he would refuse to convict "till hell freezes over."

Assistant District Attorney Murphy said at midnight that whatever the result Gibson would not go from the courthouse a free man. He will be arrested on a warrant charging him with grand larceny, sworn out by Hugh Trainer, a former client of Gibson, who alleges that the lawyer defrauded him of \$17,000 two years ago.

Justice Tompkins took the bench at 2:23 o'clock. Gibson pale but calm sat at the counsel table beside his wife, who was trembling violently as the twelve men lined up. Foreman Hicks reported that the jury could not agree and a number of questions followed by various jurors.

The court ordered the jurors to go back and make another attempt to agree.

Mrs. Gibson remained in her husband's cell while he had his supper. As she left the jail by a side door, she was served with an order in connection with proceedings to get at the whereabouts of money, trunks, jewelry and other belongings of the Rosa Szabo estate.

Justice Tompkins took two hours and twenty minutes in delivering his charge, following summing up for the defense by Robert H. Elder and for the State by Assistant District Attorney Wasservogel of New York. The charge was accepted by both prosecution and defense as fair.

Court was late in opening because the court was informed that Juror No. 5, Harry Tweedle, a farmer of Montgomery, had been seen talking with a man in a saloon last Friday after the jury was excused. The Justice was closeted with the juror for ten minutes and the trial was then resumed.

The summing up by Mr. Elder took all the morning and half the afternoon. It was 5:20 when Mr. Wasservogel gave way to the court.

GOV. WILSON SAYS HE'S BETTER.

Attack of Indigestion Prevents His Visiting Colonial Parliament.

Special Cable Despatch to The Sun.
HAMILTON, Bermuda, Nov. 25.—President-elect Wilson, who suffered an attack of acute indigestion today and was prevented from attending the session of the Colonial Parliament, says he is better to-night.

Sir Thomas Watson, the Speaker of Parliament, announced at the beginning of the Parliamentary session that Mr. Wilson would be there, and if there was no objection he would come behind the bar, where the Speaker's throne is situated.

Mr. Wilson says he will go to see the play "Our Mutual Friend" on Thursday.

When informed of the death of Senator Rayner, the President-elect made the following statement: "I learn with sincere regret of Senator Rayner's death. The country has lost an able and patriotic servant. It will be very difficult to replace him."

DROWNS IN 2 1/2 INCHES OF WATER

Garage Helper Found Dead at Bottom of Elevator Shaft.

Frank J. Meyer, a helper in the Hudson River Garage at 135 Amsterdam avenue, started yesterday afternoon to haul out the water which was standing two and a half inches deep on the bottom of the elevator shaft when he fell forward into the water and was drowned.

Some time afterward George Holmes, the garage foreman, who had sent Meyer to work, went to see why the job was not finished and found the helper's body.

WOULDN'T PAY WEDDING FEE.

Offered \$2, Clergyman Asked \$10, So Police Finally Hunt Party.

Isidore Torce of 79 School street, Yonkers, took Rosa Raggon and a wedding party to the rectory of St. Anthony of Padua yesterday and asked the Rev. Michael Harndt how much it cost to be married. The priest told him \$10.

"I am a poor man," said Torce, "and can't afford to pay such a price. I'll give you \$2."

The priest stood firm, and Torce became excited and let loose a string of abuse. Father Harndt called up police headquarters and four policemen were sent to the house to drive Torce and his companions away.

AUSTRO-RUSSIAN TENSION A MYTH

Invention of Alarmist Newspapers Who Fail to Understand Situation.

OPTIMISM PREVAILS

Both Von Berchtold and Sazonoff Amicably Following Definite Policies.

A DAY OF MANY RUMORS

Servians Said to Be Preparing for Conflict, and European Bourses Tremble.

From a special correspondent of THE SUN.

VIENNA, Nov. 25.—No news is good news. The international situation is exactly as it was yesterday. Even the sombre medium through which journalistic spheres delight to contemplate it remains the same. Their alarmist comments of yesterday are merely paraphrased to-day.

My telegram of last night was republished in Vienna this evening with the explanatory conjecture that I may have arrived at my optimistic forecast by leaving out of consideration the official Russian attitude. As a matter of fact the contrary is true. I base my judgment on the attitude of official Russia and official Austria and on the assumption, for which I have good grounds, that in both empires the policies of the respective monarchs will prevail over the impulses given by irresponsible groups or anonymous forces, however well intentioned.

If by ignoring or making light of Russia's loyal policy or M. Sazonoff's authority to carry it out that section of the Austrian press reaches the conclusion that the situation is grave and frightens investors into throwing securities on the markets, the readiness of those publicists to misjudge official Russia at all times detracts their authority on the subject during the present crisis.

Russia is little known to them. The fantastic notion is now current here that the St. Petersburg Cabinet is bound to take the next move and that everything will depend on whether it climbs down or maintains its present uncompromising attitude. In fact the report was spread that it was believed the German Emperor has undertaken to persuade the Czar to abandon the present provocative policy and to strike a more conciliatory course. All those things are fancies. Between Russia and Austria there is hardly more diplomatic tension than there was six or twelve months ago, and judging by all causes now operative there is no probability of there being any.

M. Sazonoff's policy is pacific. It is sanctioned by the Czar, and the imperial Government disposes ample means to realize it in every detail despite all opposition. If it were otherwise, as people here imagine, there would be an end to the Russian Empire.

Neither Count von Berchtold, the Austro-Hungarian Foreign Minister, nor M. Sazonoff, the Russian foreign head, is a doctrinaire. Neither statesman holds a brief for European peace. They have, however, the welfare of their respective countries at heart and both are firmly convinced that they can adequately further these aims under the new conditions created by the Balkan war by keeping to diplomatic methods.

Any indication of a change for the worse in the situation would assuredly be perceived by these statesmen first, and I am able to affirm that neither of them has yet discerned any.

QUIET AT TCHATALDJA.

Sound of Pick and Shovel Displaces That of Firing.

Special Cable Despatch to The Sun.

LONDON, Nov. 26.—The correspondent of the Times telegraphing under yesterday's date from the Tchataldja lines says:

"Since my last despatch there has been no fighting on the lines beyond a few affairs at the outposts. The heavy gunfire has been desultory.

"Meanwhile the Turks have piled the pick and shovel with such good will that I am more and more convinced that except in the event of pressure from another quarter the allies will not risk the losses which direct operations would entail.

"Three lines of prepared positions now separate the Bulgarian army from Constantinople. In the interests of fair play I cannot indicate the second and third positions. Their strength must prove an important factor in the current negotiations and definitely confirms my contention that whatever might be the cause of the day the Bulgarians lost their real opportunity during the last week of this month.

"I am so positive that no serious

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.

Continued on Fourth Page.